

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Benjamin Salk	Team: Team # 5	CCRB Case #: 200904202	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 03/18/2009 9:45 PM	Location of Incident: § 87(2)(b)	Precinct: 112	18 Mo. SOL 9/18/2010	EO SOL 9/18/2010	
Date/Time CV Reported Thu, 03/19/2009 12:06 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 03/19/2009 12:06 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Joseph Matzinger	04091	927158	112 PCT
2. POF Michelle Feldman	13118	938231	112 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Joseph Matzinger	Abuse: Sgt. Joseph Matzinger stopped § 87(2)(b)	§ 87(2)(b)
B.POF Michelle Feldman	Abuse: PO Michelle Feldman stopped § 87(2)(b)	§ 87(2)(b)
C.SGT Joseph Matzinger	Abuse: Sgt. Joseph Matzinger disseminated information regarding § 87(2)(b)'s medical status.	§ 87(2)(b)
D.SGT Joseph Matzinger	Abuse: Sgt. Joseph Matzinger searched § 87(2)(b)	§ 87(2)(b)
E.POF Michelle Feldman	Abuse: PO Michelle Feldman searched § 87(2)(b)	§ 87(2)(b)

## Synopsis

On March 19, 2009, § 87(2)(b) filed a complaint with the CCRB via the agency's Call Processing System. § 87(2)(b) stated that at about 9:45 PM, he left home at § 87(2)(b) in Queens to buy a pack of cigarettes at a corner store. § 87(2)(b) then walked to a local bar about 100 yards away, went inside and had a conversation with an acquaintance for approximately five minutes. Then he returned to his apartment building. In front of the building, § 87(2)(b) put his hand in his pocket to get his keys, at which point two officers exited an unmarked dark van across the street. § 87(2)(b) identified these officers by name as Sgt. Joseph Matzinger and PO Michelle Feldman from the 112th Precinct, and described them respectively as a white male standing 5'10" and weighing 200 pounds with a receding hairline, and a blonde white female standing 5'4". The officers approached, said they wanted to speak to him, and asked he had done anything wrong (**Allegations A and B**). § 87(2)(b) said he was just walking into his apartment. People who live in his building were outside, including one identified as § 87(2)(b) and one known to § 87(2)(b) only as § 87(2)(b) both of whom live at unknown apartment numbers. Allegedly, Sgt. Matzinger loudly said that he knew § 87(2)(b) had tried to commit suicide previously (**Allegation C**). § 87(2)(b) explained to the CCRB that he was arrested in § 87(2)(b) by the same officers for possessing prescription drugs belonging to a friend, and that this was the basis for Sgt. Matzinger's comment.) Both officers then asked if they could search § 87(2)(b) § 87(2)(b) asked why he was being searched, and said he did not want to be searched. Regardless, they both allegedly put their hands into § 87(2)(b)'s pockets (**Allegations D and E**). They left without issuing § 87(2)(b) a summons or making an arrest.

§ 87(2)(g)

On April 23, 2009, a call was placed to § 87(2)(b)'s cell phone and a message was left. § 87(2)(b) called the same day, gave a brief statement consistent with the above narrative, and scheduled an appointment to appear at the CCRB on March 26, 2009. That day, § 87(2)(b) called to cancel and rescheduled for April 2, 2009.

On April 2, 2009, § 87(2)(b) appeared at the CCRB but, citing a busy work schedule, was unable to stay for a full interview. He signed a verification statement and agreed to contact the undersigned in order to schedule a detailed phone interview. To date, § 87(2)(b) has not contacted the CCRB again. Since he appeared at the CCRB, four calls have been placed to the two different phone numbers § 87(2)(b) provided the CCRB. On two occasions, the call was disconnected without the option to leave a voicemail. On two other occasions voicemails were left, one at each number. On April 20, 2009, a final "please call" letter was mailed to § 87(2)(b). None of the letters have been returned as undeliverable. On April 22, 2009, a voicemail was left for § 87(2)(b) in which he was informed that this case may be closed if he did not contact the CCRB by the following day. § 87(2)(b) has not contacted the undersigned to provide a phone statement.

On April 22, 2009, a search of the Department of Correction's online inmate locator database was conducted, revealing that § 87(2)(b) is not incarcerated.

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: